

# JOURNAL OF THE HOUSE.

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Wednesday, July 9, 2014.

Met according to adjournment at eleven o'clock A.M., with Mr. Kafka of Stoughton in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Pledge of  
allegiance.

At the request of the Chair (Mr. Kafka), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

### *Silent Prayers.*

Brion M.  
Cangiamila.

During the session (the Speaker being in the Chair), at the request of Mr. Lombardo of Billerica, the members, guests and employees stood for a moment of silent tribute in memory of Brion M. Cangiamila, a member of the House from Billerica in 1991 and 1992.

Douglas W.  
Petersen.

During the session (the Speaker being in the Chair), at the request of Ms. Ehrlich of Marblehead, the members, guests and employees stood for a moment of silent tribute in memory of Douglas W. Petersen, a member of the House from Marblehead from 1991 to 2007, inclusive.

### *Statement Concerning Representative Canavan of Brockton.*

A statement of Mrs. Haddad of Somerset concerning Mrs. Canavan of Brockton was spread upon the records of the House, as follows:

Statement  
concerning  
Mrs. Canavan  
of Brockton.

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Canavan of Brockton, is unable to be present in the House Chamber for today's sitting due to the unexpected death of her husband earlier today. Her missing of roll calls today is due entirely to the reason stated.

### *Guests of the House.*

Revere  
High School,—  
softball  
team.

During the Session, the Speaker took the Chair and introduced the Revere High School Girls Softball Team, accompanied by their coaches, school administrators, friends and families. The Speaker then congratulated the team on winning the 2014 New England Conference Division I Championship. They were the guests of Speaker DeLeo of Winthrop, Ms. Vincent of Revere and Senator Petruccelli.

### *Communications.*

#### Communications

Health Care  
Security  
Board.

From the Health Care Security Trust Board of Trustees (under Section 4(h) of Chapter 29D of the General Laws) submitting the fiscal year 2015 budget for said board [filed with the Clerk on July 3, 2014]; and

Tobacco  
products,—  
divestment.

From the Pension Reserves Investment Management Board (see Section 23 of Chapter 32 of the General Laws) submitting a report listing all tobacco related investments and their book value as of December first 2013;

Severally were placed on file.

*Annual Reports.*

## Annual reports

Of the State Ethics Commission (under Section 2(l) of Chapter 268B of the General Laws) concerning the actions taken by said commission, the names and salaries and duties of all individuals in its employ and the money it has disbursed; Ethics Commission.

Of the Pension Reserves Investment Management Board (under Section 6 of Chapter 232 of the Acts of 2010) relative to divestment from Iran restricted Securities; and Iran,—divestment.

Of the Pension Reserves Investment Management Board (under Section 4 of Chapter 151 of the Acts of 2007) relative to divestment from Sudan restricted Securities; Sudan,—divestment.

Severally were placed on file.

*Recess.*

At two minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Kafka of Stoughton being in the Chair), the House recessed until twelve o'clock noon; and at that time the House was called to order with Mr. Donato of Medford in the Chair. Recess.

*Messages from the Governor.*

A message from His Excellency the Governor recommending legislation relative to reforming the delivery of forensic mental health services (House, No. 4279), was filed in the office of the Clerk on Wednesday, July 2. Forensic mental health services.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on the Judiciary. Sent to the Senate for concurrence.

A message from His Excellency the Governor recommending legislation relative to providing the terms of certain bonds providing for the preservation and improvement of land, parks and clean energy in the Commonwealth (House, No. 4280), was filed in the office of the Clerk on Monday, July 7. Environmental bonds.

The message was read; and it was referred, under Rule 17G, with the accompanying draft of a bill, to the committee on Bonding, Capital Expenditures and State Assets.

*Resolutions.*

Resolutions (filed with the Clerk by Ms. Peake of Provincetown) on the occasion of the thirty-eighth voyage of the U.S. whaling ship Charles W. Morgan, were referred, under Rule 85, to the committee on Rules. Charles W. Morgan whaling ship.

Mr. Binienda of Worcester, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules on motion of Ms. Peake, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

*Papers from the Senate.*

The House Bill designating October 9 as PANDAS/PANS Awareness Day (House, No. 2882), came from the Senate passed to be PANDAS/PANS Awareness Day.

PANDAS/PANS  
Awareness  
Day.

engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2254. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Public Safety  
and Homeland  
Security  
committee,—  
extension  
of time for  
reporting.

The Senate Order relative to granting the joint committee on Public Safety and Homeland Security until July 3, 2014 within which time to make its final reports of certain Senate documents relative to public safety (Senate, No. 2149, amended by striking out the date “June 26” and inserting in place thereof the date “July 3”), came from the Senate with the endorsement that it had been adopted by said branch.

Under suspension of the rules, on motion of Mr. Naughton of Clinton, the order was considered forthwith. Pending the question on adoption of the order, in concurrence, the same member moved to amend it by striking out the date “July 3” (inserted by amendment by the Senate) and inserting in place thereof the date “Friday, July 18”. The amendment was adopted.

The order, as amended, then also was adopted, in concurrence. Sent to the Senate for concurrence in the amendment.

Financial  
Services  
committee,—  
extension  
of time for  
reporting.

The Senate Order relative to granting the joint committee on Financial Services until July 31, 2014 within which time to report of certain current Senate documents numbered 483 and 1977, relative to financial services (Senate, No. 2208), came from the Senate with the endorsement that it had been adopted by said branch.

Under suspension of the rules, on motion of Mr. Costello of Newburyport, the order was considered forthwith; and it was adopted, in concurrence.

#### Bills

Uniform beach  
warnings.

Creating uniform beach warnings (Senate, No. 2247) (on Senate bill No. 409, amended); and

Geography  
education.

Relative to geography education (Senate, No. 2248) (on Senate bill No. 2026, amended);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

#### Bills

By-laws and  
ordinances.

Relative to the effective enforcement of municipal ordinances and by-laws (Senate, No. 944) (on a petition);

Volleyball,—  
state sport.

Designating volleyball as the official recreational and team sport of the Commonwealth (Senate, No. 1627) (on a petition); and

Rock wall  
climbing.

Relative to rock wall climbing safeguards (Senate, No. 2253) (on Senate bill No. 1146, amended);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Anthony  
Gerniglia,—  
sick leave.

A petition of Thomas M. McGee, Donald H. Wong and RoseLee Vincent for legislation to establish a sick leave bank for Anthony Gerniglia, an employee of the Department of Youth Services, came

from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2259) was referred, in concurrence, to the committee on Public Service.

*Reports of Committees.*

By Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Danielle W. Gregoire, Carolyn C. Dykema and Matthew A. Beaton for legislation to increase the number of assistant clerk positions in the first district court of eastern Worcester.

Eastern Worcester District Court,—assistant clerks.

Under suspension of the rules, on motion of Miss Gregoire of Marlborough, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

By Mr. Binienda of Worcester, for the committees on Rules of the two branches, acting concurrently, asking to be discharged from further consideration:

Of the Bill to study the need for drug rehabilitation for Department of Children and Families' clients (House, No. 84); and

Drug rehabilitation.

Of the Bill relative to the establishment of a commission to modernize HIV/AIDS prevention and treatment (House, No. 2085);

HIV/AIDS,—study.

And recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports were considered forthwith; and they were accepted.

Report of the committee on Consumer Protection and Professional Licensure, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 4115) of Shawn Dooley and Richard J. Ross relative to simulcast wagering in Norfolk County.

Norfolk County,—simulcast wagering.

Under suspension of the rules, on a motion of Mr. Scibak of South Hadley, the report was considered forthwith. Pending the question on acceptance of the report, the petition was recommitted, on further motion of the same member.

By Ms. Peisch of Wellesley, for the committee on Education, on Senate, No. 279 and House, Nos. 436 and 508, an Order relative to authorizing the committee on Education to make an investigation and study of certain Senate and House documents relative to health issues (House, No. 4270).

Education,—study.

By the same member, for the same committee, on Senate, No. 281 and House, Nos. 347, 383, 391 and 452, an Order relative to authorizing the committee on Education to make an investigation and study of certain Senate and House documents relative to school climate and safety issues (House, No. 4271).

Id.

By the same member, for the same committee, on House, No. 2994, an Order relative to authorizing the committee on Education to make

Id.

Education,—  
study.

an investigation and study of a certain House document concerning curriculum issues (House, No. 4272).

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Mr. Binienda of Worcester, for said committees, reported, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Health Care  
Financing,—  
study.

By Ms. Benson of Lunenburg, for the committee on Health Care Financing, on House, Nos. 77, 555, 846, 884, 1015, 1024, 1039, 1041, 1042, 1799, 1813, 1817, 1889, 1918, 1939, 1944, 1949, 1966, 3595, 3634, 3761, 3975 and 4024, an Order relative to authorizing the committee on Health Care Financing to make an investigation and study of certain House documents concerning health care financing matters (House, No. 4265). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently, Mr. Binienda of Worcester, for said committees, reported asking to be discharged from further consideration of the order; and recommending that the same be referred to the House committee on Rules.

Under Rule 42, the report was considered forthwith; and it was accepted.

State  
property,—  
vending  
machines.

Mr. Binienda of Worcester, for the committee on Rules, on the foregoing Order, then reported, in part, asking to be discharged from further consideration of the Bill relative to expanding access to healthy food choices in vending machines on state property (House, No. 3975),— and recommending that the same be recommitted to the committee on Health Care Financing. Under Rule 42, the report was considered forthwith; and it was accepted.

Health Care  
Financing,—  
study.

By Ms. Benson of Lunenburg, for the committee on Health Care Financing, on House, Nos. 220, 1008, 1788, 2073, 4131 and 4141, an Order relative to authorizing the committee on Health Care Financing to make an investigation and study of certain House documents concerning health care financing issues (House, No. 4266). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently Mr. Binienda of Worcester, for said committees, reported asking to be discharged from further consideration of the order; and recommending that the same be referred to the House committee on Rules.

Under Rule 42, the report was considered forthwith; and it was accepted.

HIV-associated  
lipodystrophy.

Mr. Binienda of Worcester, for the committee on Rules, on the foregoing Order, then reported, in part, asking to be discharged from further consideration of the Bill relative to HIV-associated lipodystrophy treatment (House, No. 4141),— and recommending that the same be recommitted to the committee on Health Care Financing. Under Rule 42, the report was considered forthwith; and it was accepted.

Mr. Binienda of Worcester, for the committee on Rules, on the Order relative to authorizing the committee on Health Care Financing to make an investigation and study of certain House documents concerning health care financing issues (House, No. 4234), reported, in part, asking to be discharged from further consideration of the Bill relative to the sterilization of musical instruments in schools (House, No. 369),— and recommending that the same be recommitted to the committee on Health Care Financing. Under Rule 42, the report was considered forthwith; and it was accepted.

Musical instruments,—sterilization.

By Mr. Michlewitz of Boston, for the committee on Public Service, on House, No. 2421, a Bill relative to the Department of Fire Services (House, No. 4264).

Fire Services,—employees.

By the same member, for same committee, on a petition, a Bill relative to Holyoke Police Officer David Zolendziewski (House, No. 4105, changed in section 1, in line 1, by striking out the word “Holyoke” and inserting in place thereof the word “State”) [Local Approval Received].

David Zolendziewski,—benefits.

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

*Engrossed Bills.*

Engrossed bills

Relative to the University of Massachusetts Police Department (see Senate, No. 2045, amended) (which originated in the Senate); and

Bills enacted.

Establishing a district to operate a regional public safety communications and dispatch center for the city known as the city of Revere and the town of Winthrop (see House, No. 3936) (which originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

*Recesses.*

At thirteen minutes after twelve o'clock P.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed until half past twelve o'clock; and at a quarter after one o'clock the House was called to order with Mr. Donato in the Chair.

Recesses.

The House thereupon took a further recess, on motion of Mr. Jones of North Reading, subject to the call of the Chair; and at twenty-five minutes after two o'clock the House was called to order with Mr. Donato in the Chair.

*Quorum.*

Mr. Jones of North Reading thereupon asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Donato of Medford), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 144 members were recorded as being in attendance.

Quorum,—yea and nay No. 414.

**[See Yea and Nay No. 414 in Supplement.]**

Therefore a quorum was present.

Subsequently a statement of Mr. Collins of Boston was spread upon the records of the House, as follows:

Statement of  
Mr. Collins  
of Boston.

MR. SPEAKER: I would like to call to the attention of the House the fact that on the previous quorum roll call I was absent from the House Chamber on official business in another part of the State House.

Subsequently a statement of Ms. Fiola of Fall River was spread upon the records of the House, as follows:

Statement of  
Ms. Fiola of  
Fall River.

MR. SPEAKER: I would like to call to the attention of the House the fact that on the previous quorum roll call I was absent from the House Chamber on official business in another part of the State House; and I was not notified that the quorum roll call was being taken.

### *Reports of Committees.*

Gun  
violence.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to the reduction of gun violence (House, No. 4121), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4278) [Representatives Turner of Dennis, Beaton of Shrewsbury and Diehl of Whitman dissenting]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling with the amendment pending.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration of the House.

Under suspension of said rule, on motion of the same member, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted.

Pending the question on ordering the substituted bill to a third reading, Mr. D'Emilia of Bridgewater moved that further consideration thereof be postponed until Wednesday, July 16, and specially assigned to the hour of one o'clock P.M.

Motion to  
postpone  
negatived,—  
yea and nay  
No. 415.

After debate on the motion to postpone, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 57 members voted in the affirmative and 92 in the negative.

### **[See Yea and Nay No. 415 in Supplement.]**

Therefore the motion to postpone was negatived.

Bill ordered  
to a third  
reading,—  
yea and nay  
No. 416.

After remarks on ordering the substituted bill to a third reading, the sense of the House was taken by yeas and nays, at the request of Mr. Naughton of Clinton; and on the roll call 111 members voted in the affirmative and 37 in the negative.

### **[See Yea and Nay No. 416 in Supplement.]**

Therefore the bill (House, No. 4278) was ordered to a third reading.

Rules  
suspended,—  
yea and nay  
No. 417.

The same member then moved that the rules be suspended in order that the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) might be read a third time forthwith.

On the motion to suspend rules, the sense of the House was taken by yeas and nays, at the request of Mr. Jones of North Reading; and on the roll call 112 members voted in the affirmative and 34 in the negative.

### **[See Yea and Nay No. 417 in Supplement.]**

Therefore the rules were suspended.

The bill then was read a third time.

Mr. Mariano of Quincy being in the Chair,—

Pending the question on passing the bill to be engrossed, Mr. Jones of North Reading and other members of the House moved to amend it in section 67, in line 1159, after the word “representatives” and also in line 1160, after the word “senate”, by inserting, in each instance, the following: “, 1 of whom shall be appointed by the minority leader”. The amendments were adopted. Quorum.

Mr. Dooley of Norfolk then moved to amend the bill by adding the following section:

“SECTION 80. Notwithstanding any general or special law to the contrary, no requirements shall be placed on gun owners by any authority or constitutional officer acting without the direction of the Legislature.”

Pending the question on adoption of the amendment, Mr. Jones of North Reading asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Mariano of Quincy), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 145 members were recorded as being in attendance. Quorum,—  
yea and nay  
No. 418.

**[See Yea and Nay No. 418 in Supplement.]**

Therefore a quorum was present.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Dooley of Norfolk; and on the roll call 30 members voted in the affirmative and 120 in the negative. Amendment  
rejected,—  
yea and nay  
No. 419.

**[See Yea and Nay No. 419 in Supplement.]**

Therefore the amendment was rejected.

Mr. Linsky of Natick then moved to amend the bill by adding the following section:

“SECTION 80. Section 10E of Chapter 269 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking the section in its entirety and inserting in place thereof the following:

Section 10E. Whoever, except as provided by law, in a single transaction or occurrence or in a series of transactions within a twelve month period, knowingly or intentionally distributes, sells, or transfers possession of a quantity of firearms, rifles, shotguns, machine guns, or any combination thereof, shall, if the quantity of firearms, rifles, shotguns, machine guns, or any combination thereof is:

(1) One or more, but less than three, be punished by a term of imprisonment of not more than ten years in the state prison or by a fine of not more than fifty thousand dollars may be imposed or by both such imprisonment and fine.

(2) Three or more, but less than ten, be punished by a term of imprisonment of not more than twenty years in the state prison. No sentence imposed under the provisions of this paragraph shall be for less than a mandatory minimum term of imprisonment of five years and a fine of not more than one hundred thousand dollars may be imposed but not in lieu of the mandatory minimum term of imprisonment, as established herein.

Gun  
violence.

(3) Ten or more, be punished by a term of imprisonment not less than ten years up to life imprisonment in the state prison. No sentence imposed under the provisions of this paragraph shall be for less than a mandatory minimum term of imprisonment of ten years and a fine of not more than one hundred and fifty thousand dollars may be imposed but not in lieu of the mandatory minimum term of imprisonment, as established herein.

A prosecution commenced under this section shall not be placed on file or continued without a finding, and the sentence imposed upon a person convicted of violating any provision of said section shall not be reduced to less than the mandatory minimum term of imprisonment as established in said section, nor shall any sentence of imprisonment imposed upon any person be suspended or reduced until such person shall have served said mandatory minimum term of imprisonment.

A person convicted of violating any provision of this section shall not, until he shall have served the mandatory minimum term of imprisonment established herein, be eligible for probation, parole, furlough, work release, or receive any deduction from his sentence for good conduct under sections one hundred and twenty-nine, one hundred and twenty-nine C and one hundred and twenty-nine D of chapter one hundred and twenty-seven; provided, however, that the commissioner of corrections may, on the recommendation of the warden, superintendent, or other person in charge of the correctional institution, grant to said offender a temporary release in the custody of an officer of such institution for the following purposes: to attend the funeral of a relative, to visit a critically ill relative, or to obtain emergency medical or psychiatric services unavailable at said institution. The provisions of section eighty-seven of chapter two hundred and seventy-six shall not apply to any person, seventeen years of age or over, charged with a violation of said sections, or to any child between the age of fourteen and seventeen, so charged, if the court is of the opinion that the interests of the public require that he shall be tried for such offense instead of being dealt with as a child.”

The amendment was adopted.

Ms. Andrews of Orange then moved to amend the bill by adding the following section:

“SECTION 81. There shall be a special commission established pursuant to section 2A of chapter 4 of the General Laws to consist of: the governor or a designee, who shall serve as co-chairperson; the attorney general or a designee, who shall serve as co-chairperson; 2 members of the house of representatives, 1 of whom shall be appointed by the minority leader; 2 members of the senate, 1 of whom shall be appointed by the minority leader; the chief justice of the supreme court, or a designee; 2 persons to be appointed by the attorney general; the secretary of public safety and security, or a designee; the commissioner of mental health, or a designee; the commissioner of public health, or a designee; the colonel of the state police, or a designee; 2 members of the Massachusetts association of school superintendents, 1 representing a school district located in a rural community in the commonwealth, 1 representing a school district located in a city in the commonwealth; the president of a state university located in a rural county in the commonwealth, appointed by the governor; the president of a community college

located in a rural community in the commonwealth, appointed by the governor; the president of the Western Massachusetts Chiefs of Police Association, or a designee; the president of the Central Massachusetts Chiefs of Police Association, or a designee; 1 school resource officer from a public school in rural community in the commonwealth; 1 school resource officer from a public school in an urban community in the commonwealth; the president of the Association for Behavioral Healthcare, or a designee; the president of the Massachusetts chapter of the National Association of Social Workers, or a designee; the president of the Gun Owners Action League, or a designee; the executive director of the National Rifle Association, or a designee; the president of the South Barre Rod & Gun Club, or a designee; the president of the Orange Gun Club, or a designee.

The composition of the commission shall reflect the gender and racial balance of the commonwealth in addition to achieving a balanced composition of members from rural and urban areas. The commission's study and recommendations shall incorporate, whenever possible and feasible, evidence-based research, including regulations and procedures successfully employed by other states and countries.

The commission shall study and develop recommendations to improve enforcement of existing gun laws in the commonwealth. The commission shall study and develop evidence-based recommendations relative to video games containing violent content and their impact on youth. The commission shall develop recommendations to improve collection and security of information obtained during the firearm licensing and renewal process. The commission shall study and develop recommendations to improve the ease and timeliness of the firearm licensing and renewal process. The commission shall study and develop evidence based recommendations relative to improving the eligibility criteria, granting authority and appeal process for obtaining firearm licenses. The commission shall develop evidence-based recommendations for improving, supplementing and bolstering current mental health services and practices to achieve an optimal, safe learning environment for students throughout the commonwealth. The commission shall study and develop evidence-based recommendations relative to the legal and illegal classification of firearms. The commission shall study and develop evidence-based recommendations relative to engaging and educating all residents regarding rights and responsibilities to ensure safe communities and responsible gun ownership.

The executive office of public safety and security shall provide staff support to the commission.

The commission shall submit an interim report of its findings, assessments and recommendations, together with drafts of legislation necessary to implement those recommendations, by filing the same with the clerks of the senate and house of representatives not later than 180 days after the effective date of this act. The commission shall submit a final report of its findings, assessments and recommendations, together with drafts of legislation necessary to implement those recommendations, by filing the same with the clerks of the senate and house of representatives not later than one year after the effective date of this act.”

The amendment was rejected.

Gun  
violence.

After remarks on the question on passing the bill, as amended, to be engrossed, Messrs. Garballey of Arlington, Scaccia of Boston and Rogers of Norwood moved to amend it by adding the following six sections:

“SECTION 81. Section 22 of Chapter 32A of the General Laws is hereby amended by striking out the last paragraph, inserted by section 1 of chapter 80 of the acts of 2000, and inserting in place thereof the following paragraph:—

For the purposes of this section, ‘licensed mental health professional’ shall mean a licensed physician who specializes in the practice of psychiatry, a licensed psychologist, a licensed independent clinical social worker, a licensed mental health counselor, a licensed nurse mental health clinical specialist, or a licensed educational psychologist within the lawful scope of practice for such educational psychologist.

SECTION 82. Section 47B of Chapter 175 of the General Laws is hereby amended by striking out the next to the last paragraph, inserted by section 2 of chapter 80 of the acts of 2000, and inserting in place thereof the following paragraph:—

For the purposes of this section, ‘licensed mental health professional’ shall mean a licensed physician who specializes in the practice of psychiatry, a licensed psychologist, a licensed independent clinical social worker, a licensed mental health counselor, a licensed nurse mental health clinical specialist, or a licensed educational psychologist within the lawful scope of practice for such educational psychologist.

SECTION 83. Section A of Chapter 176A of the General Laws is hereby amended by striking out the next to the last paragraph, inserted by section 4 of chapter 80 of the acts of 2000, and inserting in place thereof the following paragraph:—

For the purposes of this section, ‘licensed mental health professional’ shall mean a licensed physician who specializes in the practice of psychiatry, a licensed psychologist, a licensed independent clinical social worker, a licensed mental health counselor, a licensed nurse mental health clinical specialist, or a licensed educational psychologist within the lawful scope of practice for such educational psychologist.

SECTION 84. Section 4A of Chapter 176B of the General Laws is hereby amended by striking out the next to the last paragraph, inserted by section 6 of chapter 80 of the acts of 2000, and inserting in place thereof the following paragraph:—

For the purposes of this section, ‘licensed mental health professional’ shall mean a licensed physician who specializes in the practice of psychiatry, a licensed psychologist, a licensed independent clinical social worker, a licensed mental health counselor, a licensed nurse mental health clinical specialist, or a licensed educational psychologist within the lawful scope of practice for such educational psychologist.

SECTION 85. Section 4M of Chapter 176G of the General Laws is hereby amended by striking out the next to the last paragraph, inserted by section 10 of chapter 80 of the acts of 2000, and inserting in place thereof the following paragraph:—

For the purposes of this section, ‘licensed mental health professional’ shall mean a licensed physician who specializes in the practice of psychiatry, a licensed psychologist, a licensed independent clinical

social worker, a licensed mental health counselor, a licensed nurse mental health clinical specialist, or a licensed educational psychologist within the lawful scope of practice for such educational psychologist.

SECTION 86. This act shall apply to all policies, contracts, agreements, plans and certificates of insurance issued or delivered within or without the commonwealth on or after March 1, 2006, and to all policies, contracts, agreements, plans and certificates of insurance in effect before that date upon renewal or after March 1, 2006.”.

The amendment was adopted.

After remarks on the question on passing the bill, as amended, to be engrossed, Mr. Naughton of Clinton moved to amend it

In section 4, in line 26, by striking out the word “, which” and inserting in place thereof the words “or the commonwealth fusion center, which, subject to appropriation.”;

In section 5, in lines 78 to 81, inclusive, by striking out clause (c) and inserting in place thereof the following clause:

“(c) Subject to appropriation, each school district, charter school, non-public school, approved private day or residential school and collaborative school shall develop shall implement the safe and supportive schools framework in order to organize, integrate and sustain school and district-wide efforts to create safe and supportive school environments; and coordinate and align student support initiatives.”, in line 92, by striking out the word “Each” and inserting in place thereof the words “Subject to appropriation, each”, in line 118, by striking out the words “The department” and inserting in place thereof the words “Subject to appropriation, the department”;

In section 6, in line 204, after the word “town”, by inserting the words “a commonwealth charter school”, and, in line 205, by striking out the word “employ” and inserting in place thereof the words “be assigned”;

In section 7, in line 255, after the word “district”, by inserting the words “and commonwealth charter schools”;

In section 26, in lines 583 to 591, inclusive, by striking out the paragraph contained in those lines and inserting in place thereof the following paragraph:

“Section 130. Whoever sells or furnishes a rifle, shotgun or ammunition to any alien 18 years of age or older who does not hold a permit card issued to him pursuant to section 131H or, except as provided in this section or section 131E, whoever sells or furnishes any alien or any person under 18 years of age a rifle, shotgun, machine gun or ammunition, or whoever sells or furnishes to any person under 21 years of age a firearm or large capacity rifle or shotgun or ammunition therefor shall have his license to sell firearms, rifles, shotguns, machine guns or ammunition revoked and shall not be entitled to apply for such license for 10 years from the date of such revocation and shall be punished by a fine of not less than \$1,000 nor more than \$10,000, or by imprisonment in a state prison for not more than 10 years or by imprisonment in a house of correction for not more than 2 and 1/2 years, or by both such fine and imprisonment.”.

The amendments were adopted.

Quorum.

Pending the question on passing the bill, as amended, to be engrossed (the Speaker being in the Chair), Mr. Peterson of Grafton asked for a count of the House to ascertain if a quorum was present. The Speaker, having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum,—  
yea and nay  
No. 420.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 147 members were recorded as being in attendance.

**[See Yea and Nay No. 420 in Supplement.]**

Therefore a quorum was present.

Bill passed to  
be engrossed,—  
yea and nay  
No. 421.

After debate on the question of passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Linsky of Natick; and on the roll call 112 members voted in the affirmative and 38 in the negative.

**[See Yea and Nay No. 421 in Supplement.]**

Therefore the bill, as amended, was passed to be engrossed. Mr. Peterson of Grafton then moved that this vote be reconsidered; and the motion to reconsider was negatived.

The bill (House, No. 4285, published as amended) then was sent to the Senate for concurrence.

*Order.*

Mr. Donato of Medford being in the Chair, on motion of Mr. DeLeo of Winthrop,—

Next  
sitting.

*Ordered,* That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.

Representative Ehrlich of Marblehead then moved that when the House adjourns today, it do so in respect to the memory of Douglas W. Peterson, a member of the House from Marblehead from 1991 to 2007, inclusive; and the motion prevailed.

Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at fourteen minutes after eight o'clock P.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.